

## **MINUTES**

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### **BOARD OF SELECTMEN**

**NOVEMBER 1, 2004**

### **REGULAR SESSION**

#### **Call to Order**

The Board of Selectmen convened in regular session at 7:30 p.m. in the Selectmen's Meeting Room of the Town Hall. Selectmen Solomon and Brownsberger were both present. Dr. Solomon served as acting Chairman.

#### **Questions from Town Residents**

There were none.

#### **Action by Appointment**

##### *Recognition of Police Officers' Service*

The Board of Selectmen recognized Officers Michael McHugh and Robert Sacca for their response to a medical emergency involving an infant for which they were awarded the Police Chief's Commendation Medal award. The Board also recognized Officer William Monahan for the Police Chief's Meritorious Service Award and Sergeant Gerard Greeley for the Police Chief's Commendation Service Award for their response to a suspect vehicle leading to an arrest.

##### *Discussion of Treasurer as Appointed Position*

Jim Fitzgerald of the Warrant Committee appeared before the Board to make a brief presentation relative to the Town's consideration of making the Town Treasurer an appointed position. The subcommittee of the Warrant Committee which reviewed the merits of the proposal gave it their unanimous recommendation of support. The Board stated their initial support for this concept. The Board deferred action on adopting a formal recommendation until a full Board is in place after the November 15 special election.

##### *Discussion of Joey's Park*

The Board of Selectmen met with Kathy Ruane and Mary Ann Johnson of the Recreation Commission and Peter Castanino, Public Works Director, regarding the Town's recent activities with respect to ensuring public safety at Joey's Park.

Ms. Ruane noted the renovations the Town undertook with the playground in order to ensure the public safety. She noted that the Recreation Commission intends to seal the playground annually to ensure its continued safety.

Mr. Castanino indicated that he has initiated a laboratory test of the newly sealed playground equipment. The Public Works Director noted the Town's intention to routinely seal the playground to ensure the sealant is working effectively. The Board requested that the current test results be communicated to the public.

*Approval of Special Town Meeting Warrant and Review of Motions*

The Board of Selectmen reviewed and discussed the Special Town Meeting Warrant and proposed motions.

Mr. Brownsberger noted the Planning Board's concerns about some of the zoning articles related to the disposition of the Waverley Fire Station Committee. He suggested that the Selectmen may wish to determine those articles which must be taken up in November and allow the Waverley Fire Station Committee to be taken up in January following an adjournment.

Roger Colton of the Waverley Fire Station Re-Use Steering Committee appeared before the Board to discuss the current issues related to these rezoning articles. He urged that it is better to do the Waverley Square Fire Station parcel correctly, rather than quickly.

Mr. Brownsberger noted the need to add an additional article to the warrant related to the overlay recommended by the Steering Committee.

The Assistant Town Administrator noted that the other votes of the Special Town Meeting cannot take effect until the Town Meeting is dissolved, and as such, the Town may wish to consider an alternative method for delaying consideration of the Waverley Square Fire Station disposition articles.

Mr. Colton also noted the need to ensure the historic preservation component of the building be incorporated into the motion.

Mr. Brownsberger proposed the Town have a one-night Special Town Meeting on November 29, 2004 and another Special Town Meeting to be called for the end of January or early February 2005.

The Board moved: to refer to the Planning Board the recommendation of the Waverley Fire Station Re-Use Steering Committee to incorporate a zoning overlay to implement the Steering Committee's plan.

The motion passed unanimously (2-0).

The Board moved: to approve the Special Town Meeting warrant for November 29, 2004, as written, except for the deletion of draft Articles

3, 4, 5 and 15; and further to allow for the execution of the Warrant once these changes have been made.

The motion passed unanimously (2-0).

The Board agreed to meet at 7 p.m. on Monday, November 8, 2004 (in advance of its special session) to discuss the specific motions under the articles in the approved warrant.

*Discussion of Town Administrator Transition*

Dr. Solomon noted the Town's advertisement of the Town Administrator position in the *Globe*, *Monster.com*, and in various trade association job websites. He also noted that the Search Committee appointed to advise the Selectmen had held its first meeting.

**Action by Consent**

*Letter from Belmont Center Business Association re: Tree Lighting Ceremony*

The Board moved: to approve the request of the Belmont Center Business Association to hold a Tree Lighting Ceremony on December 2, 2004.

The motion passed unanimously (2-0).

*Memorandum from Acting Town Treasurer re: Reserve Fund Transfer Request for Software Modifications*

The Board moved: to support the Acting Town Treasurer's reserve fund transfer request for software modifications to the Town's tax billing system in response to the Town's specialized conversion to quarterly tax billing in the amount of \$13,768, which will be forwarded to the Warrant Committee for its final consideration.

The motion passed unanimously (2-0).

*Memorandum from Administrative Assistant re: Approval of Contracts with Special Legal Counsels*

The Board moved: to approve contracts with Perkins, Smith & Cohen and Murphy, Hesse, Toomey & Lehane for special legal counsel services.

The motion passed unanimously (2-0).

**Other**

Jennifer Page appeared before the Board to seek its signature for thank-you letters for financial sponsors of the Town's first environmental fair, which was a huge success.

Mr. Brownsberger noted a letter from Mr. Laubscher regarding matters on Lincoln Circle. Dr. Solomon stated that Mr. Castanino is addressing this matter. The Board encouraged this matter to be squared away in the near term.

Mr. Brownsberger inquired about the future of the McLean Implementation Committee, given the original charge of the committee. He asked what process the Board wishes to take toward the resolution of the conclusion of the responsibilities of the committee. The Board requested a letter be sent to the Committee to indicate the Board's understanding that its charge is complete and that, unless the Committee otherwise indicates, the Board is inclined to discharge the committee not later than December 6, 2004.

**Action by Appointment (continued)**

*Discussion of Collective Bargaining (Executive Session)*

This item was not ready for discussion.

*Discussion of Litigation (Executive Session)*

The Board moved: to enter executive session for the purpose of negotiating with non-union personnel, and for the purpose of discussing land acquisition and for the purpose of discussing potential litigation; and further that the Board shall not return to open session.

The motion passed (2-0), by roll call vote.

The Board adjourned their regular session at 9:05 p.m.

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Melvin A. Kleckner, Town Administrator  
Clerk, Board of Selectmen